

Introduced by Senator Dunn

February 23, 2006

An act to amend Section 798.72 of the Civil Code, relating to mobilehome parks.

LEGISLATIVE COUNSEL'S DIGEST

SB 1496, as introduced, Dunn. Mobilehome parks: escrow.

Existing law prohibits the management of a mobilehome park from charging a homeowner, an heir, joint tenant, or personal representative of the estate who gains ownership of a mobilehome in the mobilehome park through the death of the owner of the mobilehome who was a homeowner at the time of his or her death, or the agent of that person a transfer or selling fee as a condition of a sale of his or her mobilehome within a park unless the management performs a service in the sale.

This bill would additionally prohibit the management from requiring a homeowner, heir, joint tenant, or personal representative of the estate who gains ownership of a mobilehome in the mobilehome park through the death of the owner of the mobilehome who was a homeowner at the time of his or her death, or the agent of that person, to use an escrow or escrow agent as a condition of the sale of the mobilehome.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 798.72 of the Civil Code is amended to
2 read:

1 798.72. (a) The management shall not charge a homeowner,
2 an heir, joint tenant, or personal representative of the estate who
3 gains ownership of a mobilehome in the mobilehome park
4 through the death of the owner of the mobilehome who was a
5 homeowner at the time of his or her death, or the agent of ~~any~~
6 ~~such~~ *that* person a transfer or selling fee as a condition of a sale
7 of his *or her* mobilehome within a park unless the management
8 performs a service in the sale. The management shall not perform
9 ~~any such~~ *that* service in connection with the sale unless so
10 requested, in writing, by the homeowner, an heir, joint tenant, or
11 personal representative of the estate who gains ownership of a
12 mobilehome in the mobilehome park through the death of the
13 owner of the mobilehome who was a homeowner at the time of
14 his or her death, or the agent of ~~any such~~ *that* person.

15 (b) The management shall not charge a prospective
16 homeowner or his or her agent, upon purchase of a mobilehome,
17 a fee as a condition of approval for residency in a park unless the
18 management performs a specific service in the sale. The
19 management shall not impose a fee, other than for a credit check
20 in accordance with subdivision (b) of Section 798.74, for an
21 interview of a prospective homeowner.

22 (c) *The management shall not require the homeowner, an heir,*
23 *joint tenant, or personal representative of the estate who gains*
24 *ownership of a mobilehome in the mobilehome park through the*
25 *death of the owner of the mobilehome who was a homeowner at*
26 *the time of his or her death, or the agent of that person, to use an*
27 *escrow or escrow agent as a condition of the sale of the*
28 *mobilehome. Any park rule or regulation that is in conflict with*
29 *this subdivision shall be void and unenforceable.*